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JCMS Annual Lecture 2011

Europe and Its Empires: From Rome to the European Union*

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Abstract

This article claims that the territorial structure of government results from a tension between scale and community. The benefits of scale arise from the nature of public goods, and include economic exchange, political power and protection against external shocks. Communities are double-edged in that they are characterized by parochial altruism. Altruism and social solidarity facilitate government within communities, but parochial attachments constrain government among communities. Scale and community, as theorized here, provide a setting for strategic choice. Both are in flux as patterns of human interaction change, and government itself shapes those patterns. Evidence is drawn from the five largest polities in the history of western Europe: the Roman Empire, the Frankish Empire, Napoleonic France, the Third Reich and the European Union.

Introduction

Five large polities have existed in the forests, mountains, valleys and islands that lie north of the Mediterranean and west of what is now Russia (Figure 1). By ‘large’, I mean having a land area no less than one-fifth of the west European landmass of 6 million km². By ‘polity’, I mean a government having a reasonable probability of implementing authoritative decisions for the population living in its territory. The five polities are those of Rome, the Franks, Napoleonic France, Nazi Germany and the European Union (EU).¹

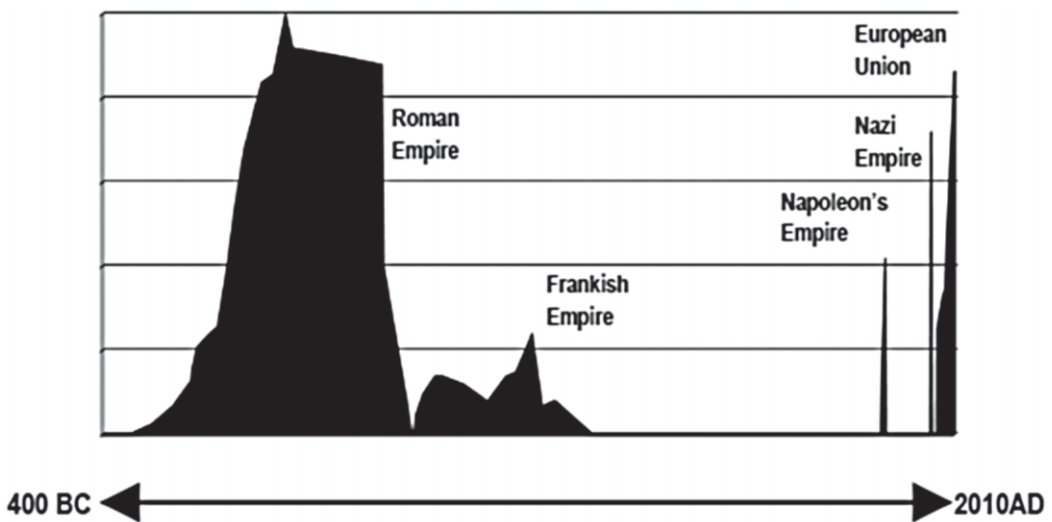
These may be conceived as empires in the Roman sense of exerting *imperium* (power, authority) over a great territory containing diverse communities. Each of them subordinates formerly independent units in a composite polity. Each combines direct and indirect rule. And each uses pre-existing structures and local elites to do so.² Empires have a flexible, mosaic quality. They encompass, but do not homogenize, populations with diverse histories, languages and religions, and they adopt a mix of strategies to impose their rule.

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¹ The purpose of these criteria is to frame a diverse but manageable set of cases for comparative analysis. I exclude the Habsburg Empire because it does not meet the size criterion and the Soviet and Ottoman empires because they are located chiefly outside western Europe.

² These core characteristics feature prominently in the vast literature on the topic (Doyle, 1986, p. 45; Eisenstadt, 1963, pp. 22–3; Motyl, 2001, pp. 4, 21; Münkler, 2005, pp. 4ff.; Tilly, 1997, p. 3).

Figure 1: Europe and Its Empires



Source: Data from Taagepera (1997).

Note: Horizontal lines are increments of 1 million km². The figure is approximate because the borders of empires are typically imprecise. At its maximum extent, in 117 AD, around 40 per cent of the territory of the Roman Empire was in Africa and Asia Minor.

Beyond this there is wide variation. Neither the European Union, nor Rome after it extended citizenship to the Italian peninsula in 88 BC and to the empire in 212 AD, are based on the exploitation of one people by another.³ Unlike most other empires, the EU is not seriously redistributive, but neither were the Franks. True, the European Union is the only one of these polities not based on organized violence. But the extent to which the others used organized violence varies considerably, and might therefore be considered as something to be explained rather than a definitional trait. Here I wish to examine large composite polities – or empires, if you will – without requiring that they have a redistributive, exploitative and coercive centre.⁴

Calling the EU an empire can raise hackles. When José Manuel Barroso, President of the European Commission, observed that ‘Sometimes I like to compare the EU as a creation to the organisation of empire. [. . .] What we have is the first non-imperial empire. [. . .] I believe it is a great construction and we should be proud of it’, the *Sunday Telegraph* declared on its front page that this comment would put the prime minister under

³ ‘[I]f empire is the direct and authoritarian rule of one group of people by another, then Rome ceased to be truly imperial when it turned its subjects into officially recognized Romans’ (Parsons, 2010, p. 25).

⁴ I follow Tilly (1992) in seeking to compare different political forms rather than place them in non-comparable categories (see also Zielonka, 2006). Undergraduates beware: the term ‘empire’ comes with considerable normative baggage. It is associated with naked coercion, blatant exploitation and racial domination (Colás, 2007, pp. 7ff.). When British-American Rastafarian poet, Benjamin Zephaniah, was put forward for an OBE (Order of the British Empire), he responded ‘Me? I thought, OBE, me? Up yours, I thought. I get angry when I hear the word “empire”; it reminds me of slavery, it reminds me of thousands of years of brutality, it reminds me of how my foremothers were raped and my forefathers brutalized’ (*The Guardian*, 27 November 2003; <<http://www.guardian.co.uk/books/2003/nov/27/poetry.monarchy>>). Such associations infuse everyday usage of the word ‘empire’, but they can be conceived as contingent rather than necessary characteristics in comparative analysis.

pressure to hold a referendum on British membership of the European Union.⁵ My purpose here is not to provoke English Eurosceptics, but to understand the tensions that large, composite polities face, no matter how good or evil their purpose. Polities exercising rule over diverse territorial communities are intensely interesting phenomena that allow one to examine the vastly different ways in which humans manage diversity in order to reap the benefits of scale.

The benefits of scale arise from the nature of government. Government exists to provide public goods – that is, goods that are non-rival and non-exclusive. Such goods benefit all, but are not used up by those who consume them. When a public good is consumed, it is not depleted. So your consumption does not reduce my consumption. And this kind of good is no less important, and often more important, than the other kind of good – the one that is used up when it is consumed. Collective security is a public good, as are the institutions that sustain law, economic exchange and knowledge. If my consumption does not diminish your consumption, then the more people who contribute to producing the good, the cheaper it is for each of us. If two groups consume a public good, then the amount produced should reflect the collective benefit – not the benefit for any one group.

Hence, the benefits of jurisdictional scale are profound. By encompassing a greater number of people, larger jurisdictions – whether states, international regimes or empires – expand trade, extend the division of labour, and facilitate economies of scale in production and distribution. The larger a jurisdiction, the greater the benefit of standardization of weights and measures, of a single system of law regarding contracts and of other jurisdiction-wide reforms that reduce the transaction costs of exchange. The same applies to the elimination of tariffs and the suppression of violence. Scale benefits mercantilist as well as liberal regimes because, as the smaller German states found in the first decades of the 19th century, small regimes cannot effectively tax trade (Ziblatt, 2006).⁶

Scale is fundamental to political power. In wars among great powers, ‘victory has always gone to the side with the greatest material resources’ (Kennedy, 1988, p. 439). Analysis of wars since 1816 reveals that countries with greater populations and larger economies usually win (Organski and Kugler, 1978; Ramsay, 2008; Reiter and Stam, 1998). Organization, technology, supply distance, terrain, and much besides, play a role, but scale is usually needed to underpin military power, and military power is usually needed to acquire and protect scale.⁷ Scale is a decided advantage when there is rough technological parity, which has been the condition of neighbouring tribes and states for most of human history.

Scale provides insurance against disaster. If a polity is large enough it can assist those suffering from flood, earthquake or famine by mobilizing the resources of people living in areas not affected. The same principle applies to exogenous economic shocks. The benefit of scale in disaster relief is well documented (Jones, 2003).

The European Union exists chiefly to gain the benefits of scale in providing public goods. The Union encompasses countries and their regions in a continental system of economic exchange, individual mobility, dispute resolution, basic research and external

⁵ *The Telegraph*, 11 May 2007.

⁶ It is often pointed out that a multi-state system produces more innovation than an empire because each state competes with its neighbours. However, if true, this cannot explain why any particular state would prefer to remain small and thereby limit its own power for the collective good of a multi-state system.

⁷ This adapts Kennedy (1988, p. xvi), who refers in identical terms to wealth.

representation. Scale enhances efficiency in each of these endeavours because it makes sense to determine the policy for all the people affected by a policy, rather than just one segment, and because the cost of providing a public policy is lower if it is shared across a very large number of people. The economic size of the Union makes it a great power in global economic, financial and environmental governance with 'equal bargaining power vis-a-vis the United States' (Drezner, 2007, p. 121).

A second principle of government is that communities – bounded groups of densely interacting humans sharing distinctive norms – facilitate and constrain the provision of public goods. On the one hand, communities diminish free-riding, which is the bane of public good provision, on account of their 'shared understandings, [...] dense social networks and connective structures' (Tarrow, 2011, p. 16). On the other hand, communities constrain the provision of public goods because they resist rule by foreigners. These effects arise because communities are characterized by *parochial altruism* (Bernhard *et al.*, 2006).

Communities are altruistic in that they instil commitment to the welfare of the group that goes beyond rational reciprocity. This idea is as old as the study of politics. Plato and Aristotle agreed that a community in which individuals internalize the common weal is a natural setting for government. Empirical research confirms the link between efficient public good provision and social interconnectedness, community, and norms that raise the cost of defection (Alesina and La Ferrara, 2002; Habyarimana *et al.*, 2007).

This is perhaps one reason why human beings have an innate propensity to form communities. Charles Darwin (1874, pp. 178–9) makes the telling observation that: 'There can be no doubt that a tribe including many members who, from possessing in a high degree the spirit of patriotism, fidelity, obedience, courage, and sympathy, were always ready to give aid to each other and to sacrifice themselves for the common good, would be victorious over other tribes; and this would be natural selection'. Altruism – the willingness of an individual to make a sacrifice for his or her community – may be an adaptation to prolonged and existential group competition.⁸

As the term 'parochial altruism' suggests, communities are double-edged. The social solidarity that facilitates government within communities, constrains government among them. Communities are parochial in that they divide the social world into 'us' and 'them', into 'insiders' and 'outsiders'. Distinctive norms and perceptions lead communities not only to prefer particular packages of public goods, but to demand self-rule – that is, the power to provide themselves with the public goods they desire. In the words of the medieval chronicler Thietmar of Merseburg: 'Rule by foreigners is the greatest punishment' (Warner, 2001, p. 81).

Unrestricted power – complete independence – is a chimera to the extent that a community is connected to others. The world has never been divided into non-overlapping, mutually exclusive, communities. Territorial communities exist at different scales, and often their edges are blurred (Mann, 1986, ch. 1). Patterns of social, economic and political interaction almost never coincide, even in hard states, and most persons consider themselves members of more than one territorial community. So the link between community and identity is open-textured and contested. What then matters for self-rule is

⁸ Whereas selfish individuals out-compete altruists within groups, groups composed of altruists out-compete groups composed of selfish individuals (Wilson and Wilson, 2007, p. 328).

the extent to which members of a community have an exclusive attachment, so that they regard an overarching jurisdiction as ‘rule by foreigners’.

The tension between scale and community creates a terrain for strategy. Small polities can try to hide in the skirts of great powers or gain some of the benefits of scale through alliance, by merging into federal regimes or by co-operation in international regimes. Or scale can be created within an overarching polity or empire. The possibilities are many. The premise here is that all can be viewed as solutions to a single problem.

In our research, Hooghe and I have explored these principles of government at the European and sub-national levels (Hooghe and Marks, 2009; Hooghe *et al.*, 2010). Multi-level governance can be understood as an attempt to reap scale while adapting government to local and regional self-rule. This article engages scale and community where they are most in tension – in empires. Empires are interesting for a political scientist precisely because they confront, in an extreme way, a tension that exists in any polity composed of multiple communities. Just as an astronomer might look for clues to the life of stars by examining supernovae, so empires provide natural experiments in the life of large, diverse, polities.

I. Accommodate, Assimilate, Eliminate?

Scale and community are fundamental to the structure of government. But they clash. Empires have responded to this dilemma by adopting some combination of the following strategies:

- *Accommodate* – that is, allow the community a measure of self-rule in exchange for some share of its financial, physical or human resources.
- *Assimilate* – that is, incorporate the community or its leaders by inducing them to identify with the empire.
- *Eliminate* – that is, destroy the community by dispersing, enslaving or killing its members.

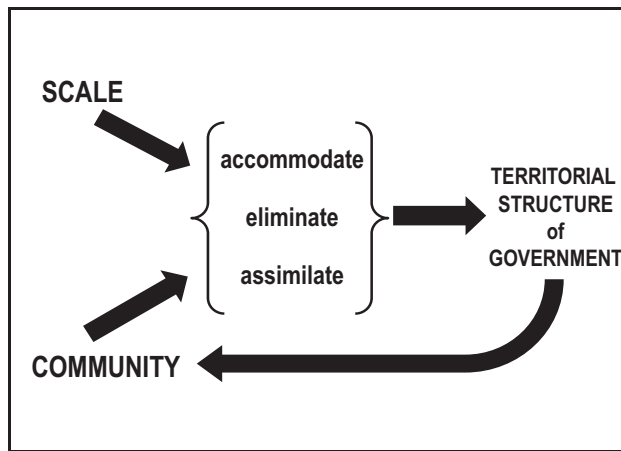
Figure 2 models government structure as decision-making under the tension between scale and community. Because communities are rooted in patterns of social, economic and political interaction, they are path dependent. Whereas problems of collective action can emerge rapidly, communities change slowly. The consequence is that government cannot be understood as an efficient response to collective problems. Scale can exert enormous functional pressure, but communities may exhibit intense parochial altruism.

II. Accommodate

Accommodation is the engine of empire. Why not use the existing political structure of a subject community to exploit its resources? Let the community retain a measure of self-governance, and make its leaders responsible for providing resources to the empire.⁹ This relieves the empire of the task of monitoring the community’s population, reforming

⁹ ‘The central power exercises some military and fiscal control in each major segment of its imperial domain, but tolerates the two major elements of indirect rule: retention or establishment of particular, distinct compacts for the government of each segment; and exercise of power through intermediaries who enjoy considerable autonomy within their own domains in return for the delivery of compliance, tribute and military collaboration with the center’ (Tilly, 1997, p. 3).

Figure 2: Scale and Community



Source: Author's model.

its institutions, collecting its taxes, mobilizing its army and responding to, or suppressing, its discontents.

Indirect rule explains the speed of imperial growth, for an empire can grow by accumulating communities by war or diplomacy, without the costly and time consuming process of swallowing and digesting the community. Indirect rule explains also the suddenness of imperial collapse. Accommodation leaves the constituent communities and their capacity for strategy intact. Imperial accommodation is continuous implicit negotiation, not a done deal. If the leaders of a community perceive the power of empire declining or its rewards fading, they can jump ship.

The European Union has grown by accommodation. The units are the most difficult material for empire yet invented: states. Europe is the crucible in which states melded diverse populations into national communities by inter-state war, religious persecution, national legal systems, and in recent centuries, national systems of communication, education, welfare, industrial relations and economic regulation. It did not always work. Some minority communities were able to resist national integration, but by the middle of the 20th century, western Europe was divided into fewer than 20 states, each of which asserted complete authority within their borders.

The European Union is a response to the following question: how can one realize the benefits of scale while accommodating diverse communities? The answer, in short, is to tax little and redistribute less; legislate by directive as well as uniform regulation; seek consensus and decide by unanimity or supermajority; permit enhanced co-operation by subsets of member states; use soft law and benchmarking; and even then allow member states to include themselves out (for example, by derogation). '[R]ather than applying strictly binding rules of co-ordination in a hierarchical setting or in compulsory negotiation systems, policy-making in the EU aims at a rather flexible combination of co-operation, competition and control' (Benz, 2010, p. 220). On the one hand, the EU is a regime of mutual adjustment among its Member States; on the other, it relies on courts and the rule of law to legitimate and adjudicate its decisions (Kelemen, 2011; Scharpf, 2010).

Scale in the face of diversity has produced a complex – almost incomprehensible – polity. European legislation must pass through perhaps the most severe obstacle course in the entire history of government. Authority is dispersed *vertically* across three, four or five layers of government depending on the country, and it is dispersed *horizontally* at the European level across two executives, two secretariats, three legislatures and a court.¹⁰

If an empire must have a centre, then the European Union is no empire. In fact, it is distinctly a non-empire, because it makes a fetish of its lack of central direction. There is not one president, but two, sitting in the Commission and the Council. When asked for the telephone number of their leader, Europeans respond with a directory of addresses. The EU is multi-level, multilateral and multi-centred (Zielonka, 2006, p. 179).

If an empire is based on coercion, then the European Union is no empire. The EU ‘secures its internal domination not through force, but through a *taboo on force*’ (Beck and Grande, 2011, p. 37, emphasis in original). The EU does not seek to monopolize organized coercion within its territory, but relies on its Member States to enforce their legal obligations. The EU is an empire of the pen, not the sword.

Rome, like the EU, was built by accommodating diversity. The Italian peninsula in the 5th century BC, like Europe in the mid-20th century, was populated by proud, independent polities that were grounded in solidaristic communities. Rome was merely one among numerous Latin and Etruscan city states. City states, then and later, are paragons of parochial altruism – evoking intense solidarity within and prickly independence without.

How did Rome do it? How did it create scale in the presence of city states? Rome practiced accommodation as an art. As it expanded in the Italian peninsula, beginning with the defeat of the Latin League in 498 BC and continuing with the withdrawal of Pyrrhus to Greece in 275 BC, the Roman republic remained a city among other, self-governing, cities. Rome began by annexing the land in its immediate vicinity, but as it expanded, the path to scale was accommodation – not annexation. To extend a term that Schimmelfennig *et al.* (2011) apply to the EU, Roman integration was ‘*differentiated*’. There was no one model, or even two or three, but a set of flexible designs for the *federatio* – the treaty that tied an individual city or tribe into the Roman *confederatio*. A number of these survive as inscriptions or are reported second hand. Livy (n.d.) discusses seven arrangements for Latin cities in 338 BC. These involved legally binding arrangements concerning inter-marriage, property ownership, voting rights, land redistribution, shipping, whether citizens of a city could join colonies, and the number of troops it had to supply. Each of these elements could vary independently of the others, and they did. The inhabitants of some cities were granted full citizenship, others were *cives sine suffragio* – that is, they paid Roman taxes and served in the army, but could not vote – while others were allies (*socii*) who were exempt from taxes, but who had to provide auxiliary troops to serve under Roman generals.

There was no overarching plan. All roads led to Rome, but there was no attempt to create homogeneity. Rule was indirect and multi-level (Scheidt, 2006). ‘We grant you

¹⁰ Three legislatures: the European Council, the Council of Ministers and the European Parliament; two executives: the European Commission and the Council of Ministers; two secretariats: the European Commission and the Council Secretariat.

freedom [. . .] so that you may have in your control the whole organization of your community according to your laws'.¹¹ The Roman bureaucracy was, in any case, tiny (Burbank and Cooper, 2010, p. 30). When it peaked in the 5th century AD, there were perhaps 30,000 Roman administrators in the entire empire.¹² City magistrates were chosen under local rules, received no Roman wage, and were responsible for the supply of corn and water, maintaining local order, collecting taxes, recruiting soldiers for the Roman army, and maintaining streets, buildings and markets. In turn, Rome buttressed the magistrate's authority if the plebs revolted.

When the empire expanded to the north and west, a salaried governor was installed in each province to maintain public order and hold judicial sessions. This was direct rule, but of the lightest kind. A governor was expected to respect local legal norms and city liberties, and had to operate within the *lex provinciae* – the treaty incorporating the province in the empire. 'Obedience – this was what counted. But outside that, the authorities seem blind to practically all the other things that have led other governments to disqualify, despoil, rob, deport, imprison, torture, burn, impale' (Finer, 1997, p. 562). Any ambition a governor had to reform a province in the Roman mould was, in any case, constrained by the paltry resources he had at his disposal: a tiny staff, limited military force. At the end of his non-renewable tenure, the locals had a legal right to prosecute the governor for extortion or malfeasance.

Yet accommodation is double-edged, for it leaves the community and its capacity for strategy intact. This almost destroyed the Roman Empire when Hannibal and his army swept down from the Alps into the Po valley in 212 BC. Successive Roman defeats raised the possibility of autonomy for formerly independent towns. And Hannibal was acutely aware that his only hope for success lay in dividing, rather than defeating, his enemy. His aim, according to a contemporary observer, Polybius (1979, Book 3), 'was to restore liberty to the peoples of Italy and give them back possession of the lands and towns confiscated by the Romans. [. . .] By doing so he hoped to draw the Italian populations into his camp by detaching them from the Romans and push into rebellion those who considered that their cities and ports had suffered from Rome's domination'. He almost succeeded. After conquering two towns and defeating a Roman army, the Latin town of Clastidium was turned over to him by the commander of the local garrison. More towns followed in 216 BC after Hannibal massacred the principal Roman army at Cannae. These included Capua, the second largest city in Italy after Rome. The Capuans invited Hannibal into their city 'not only with obedience, but with zeal, with the full agreement of the common people, and with eagerness to see a general rendered illustrious by so many victories' (Livy, n.d., Book XXIII, 7). Capuans demanded, and received, rights denied by Rome. Hannibal consented that 'no Carthaginian commander should have any authority over a Campanian citizen, nor any Campanian serve in war or perform any office against his will' (Livy, n.d., Book XXIII, 7). This was not lower-class, but elite, revolt, led by town senators, some of whom were connected to great Roman families. Twenty-seven leaders

¹¹ P. and L. Scipio to Heraclea, 190 AD, quoted in Crawford (1992, pp. 67–8). One result, and no surprise to a student of European integration, was potential conflict between Roman and local law (Naphtali and Reinhold, 1951/1990, p. 313). The principle was clear: Romans would use Roman law and non-Romans local law, with the former taking precedence when a Roman and non-Roman were in dispute. But the ambiguities were almost endless.

¹² Which is, coincidentally, about the same number of administrators as in the EU. The Han Empire, by comparison, is estimated to have had about triple this number.

of the revolt committed suicide rather than fall into Roman hands when Capua was recaptured five years later.

In order to support its army and administration, Rome required about 10 per cent of the product of the empire. Imperial income came from a tax on merchants and artisans, revenue from imperial lands and a variety of smaller taxes, but the chief source of revenue was a land tax that amounted to about a quarter of each harvest. A land tax demands accurate assessment of land ownership, and this requires up-to-date public records, including public registration of land sales, and a system for identifying and locating individual peasants. Finally, the tax must be collected from landowners in every town and village (Wickham, 2009, pp. 34ff.).

This system was not reproduced in smaller units when the Roman Empire broke up (Wells, 2008, p. 11). 'Economic complexity depended on imperial unity' (Wickham, 2009, p. 386; Heather, 2009, p. 554). Communities that were previously tied together in imperial networks became autarkic. Cities emptied, trade dwindled, crafts became local, the financial system collapsed, gold coins fell out of circulation, literacy declined, taxation simplified, revenues shrank, towns became fortresses (Pirenne, 1937). Local autonomy from barbarian rule was no panacea; the rupture was systemic.¹³ The peoples of Europe did, eventually, come to have a higher standard of living than those in the Roman Empire of the 2nd century AD, but this took about a thousand years (Maddison, 2007).

In the Frankish empires, which were the largest Dark Age polities, taxation was limited to tolls, custom dues, a wheel tax, a bridge tax, a port tax, charges on the exercise of justice, penal fines, seigneurage, and the obligation to entertain the king and his company. Together these realized a fraction of the Roman land tax. Military campaigns, conducted against Saxons, Avars or Slavs on an annual basis, provided land and booty for imperial stakeholders, and land owned by the church could be confiscated. But the supply of church lands and despoilable neighbours was limited, and Charlemagne and his descendants had to draw on their own landholdings to reward nobles for providing knights. The land remained in the possession of noble families so long as there were heirs.

Community and Scale in the Post-Roman Era

Dark Age empires fragmented in a thousand or more city states, principalities, kingdoms, dukedoms, bishoprics in search of power and resources. The challenge was greatest for independent towns and cities because communal traditions – expressed in city assemblies, popular military mobilization and citizenship – made it difficult for any one of them to swallow its neighbour. 'Loyalty to the state was strong; at times it approached the intensity of modern nationalism. But no city-state ever solved the problem of incorporating new territories and new populations into its existing structure, of involving really large numbers of people into its political life' (Strayer, 1970, p. 11).

One path to scale was to combine independent towns into leagues, of which the Hanseatic League was merely one of dozens that were created from the 13th century (Reynolds, 1997, p. 175). These took the form of non-hierarchical coalitions, with the

¹³ The Roman Empire was not based on technological superiority over its neighbours, nor did technology decline when Rome fell. In agriculture, the mouldboard plough, the horse collar and the three field system, in common practice in Northern Europe by the beginning of the second millennium AD, were unknown to the Romans (Wells, 2008, pp. 130ff.).

consequence that their durability under external pressure was limited by moral hazard: '[I]n the absence of a single jurisdiction [. . .] each state was liable to free-ride or to default on its obligations' (Epstein, 2000, p. 284).

The constraints on scale beyond the city belt lay in the tangled web of marriage alliance and personal fealty which made the creation of large polities a matter of family circumstance and uncontested succession. In early medieval times, territorial identity appears to have been fluid and emergent. Communal identities were created by common political institutions – above all kingship. As taxes, royal councils, administration and local government were systematized, so one perceives the outlines of more stable and rooted communities. From the 11th century, chroniclers began to describe 'permanent, settled inhabitants of a reasonably well-defined territory', forming 'a community of custom, law, and descent' (Reynolds, 1997, p. 258).

The interaction of community and scale varied across western Europe with decisive consequences for state-building. Repeated conquest of England prevented the emergence of strong regional communities (Strayer, 1970; Finer, 1974). Danish invasion eliminated the kingdoms of Northumberland, East Anglia and split Mercia; Wessex wiped out the Danish rulers; the Danes won the kingdom back in 1017; then came the Norman Conquest. Local customs and dialects persisted, particularly in the north and west, but regional communities did not resist uniform government. Shire courts, hundred courts and borough courts were generalized throughout the country; aldermen and reeves were royal, not local, agents; the king could call out all able-bodied men in the entire country in time of rebellion or invasion; no tax could be levied without royal permission. When rebellion took place, it was to demand redress against injustice or exorbitant taxation. From the time of the Norman Conquest to the present day, no peripheral elite has aspired to divide England or secede from it.

France, by contrast, was a mosaic state that grew by cobbling together independent provinces through inheritance, marriage, purchase or conquest. These provinces were feudal communities having distinct institutions, laws, languages. Capetian rule beyond the core domain was superficial, because it had to be. Royal suzerainty was sometimes nothing more than recognition of royal rights over justice and public order. In some provinces, the king was able to supply the judges, but the laws were provincial. The king could not raise an army directly, except in the Isle de France, but had to call on provincial magnates to supply knights.

Communities at the margins of more powerful states were impelled into larger collectivities for mutual security. Britons and Gauls did not have the time to do this under the pressure of Roman conquest, but the Germanic tribes at the northern reaches of the Roman Empire were transformed into larger communities over the course of the 2nd and 3rd centuries AD. The threat of English invasion stimulated co-operation among Picts, Scots, Britons and Angles in the north of Britain, and by the second decade of the 14th century, the lords of Scotland could appeal to the Pope for independence on behalf 'of the whole community of the realm'. King Robert, they claimed, ruled in a line of kings 'unbroken by a single foreigner' and succeeded to the throne 'according to our laws and customs which we shall maintain to the death'. The Scottish lords go on to declare that 'as long as a hundred of us remain alive, never will we on any conditions be subjected to the lordship of the English. It is in truth not for glory, nor riches, nor honours that we are fighting, but for freedom

alone, which no honest man gives up but with life itself' (Declaration of Arbroath, 1320).¹⁴

Freedom meant the right of a community to its way of life. If by consequence of dynastic union, independence was not on the cards, then freedom might be contracted. When Edward I arranged for his son to marry the queen of Scots, he signed a treaty with 'the whole community' of Scots that their kingdom would remain 'separate and apart from the realm of England, and free in itself without any subjection', so that 'the rights, laws, liberties, and customs [...] shall be fully and inviolably observed for all time'.¹⁵ Monarchs sought to create larger kingdoms for their heirs by strategic marriage, but they could not impose uniformity on the communities of the realm. When Henry V of England married the daughter of Charles VI of France, he had to pledge that their heir would guarantee 'to each kingdom its rights, liberties or customs, usages and laws, not submitting in any manner one kingdom to the other' (Treaty of Troyes, 1420). The same applied to Philip II of Spain when he married Mary I of England; parliament demanded that Philip would 'obey all the laws and English customs, would not admit foreigners as employee in England and would not involve the same one in wars' (Kamen, 1999, p. 154).

Normative diversity in Europe after the break-up of the Roman Empire decisively constrained the scale of government. Figure 1 summarizes a coherent path-dependent phenomenon, a prolonged U-curve in which no one polity spanned one-fifth of western Europe for almost a millennium. The nearest thing was Charles the Fifth's Habsburg Empire encompassing Spain, Italy south of Rome, the Low Countries, Bohemia, Transylvania and Austria. The dynasty had immense difficulty in realizing the benefits of scale against the centrifugal demands of its communities to uphold customary rights (Nexon, 2009). Charles, born in Ghent, precipitated a communal revolt in Castile when he imposed Flemish courtiers and married an Iberian princess. His son, Philip II, faced a long and bloody revolt in the Low Countries because he sought to impose Spanish rule on his Flemish subjects. Instead of contributing to Habsburg power, Flanders – the richest part of Europe – drained imperial resources.

The emergence and consolidation of states diminished the benefits and raised the costs of empire. States consolidate and demarcate national communities because they facilitate interaction within their borders and impose costs on that beyond (Bartolini, 2005). This produces path dependence of the stickiest kind: an interlocking package of intensified national communication, national laws and institutions, linguistic homogeneity, reinforced by national community (Gellner, 1983; Hall, 1993). Border disputes and wars were frequent, but until Napoleon and Hitler, no major power annexed another by force. Defeating a power is one thing, absorbing it is another. The main concessions to scale were the creation of states based on communities in Germany and Italy that had previously been divided into multiple states or statelets.

The Napoleonic and Nazi empires appear in Figure 1 as spikes in a flat terrain. These spike empires sought scale through conquest, but they were undone by their inability to

¹⁴ The lords conceived the Scots as a single people who arrived in Scotland via Greater Scythia, the Tyrrhenian Sea and Spain. But the force of community for government is no less because it is accompanied by myths and invented genealogies.

¹⁵ Treaty of Birgham, 1290, cited in Frame (1995, p. 163).

exploit the resources of the communities they conquered. In a Europe of national states, victories on the battlefield could not produce durable subjugation of national communities.

III. Eliminate

Eliminationism is the strategy of destroying a subject community by dispersing, enslaving or killing its members. Madness and sadism have played a role, but there are some patterns to eliminationism that explain its incidence. First, it has been used as the ultimate punishment for rebellion in order to strike fear into those who might follow. This is how the Romans considered and practised it in Corinth and in Judea, Napoleon in Spain, and Hitler in eastern Europe. But its effects are double-edged because elimination provokes not just fear, but the realization that surrender means death. So communities faced with elimination may, if they retain a capacity for strategy, fight to the end.

Second, empires have eliminated defeated communities when their purpose is to exploit the land, not its people. This was precisely Hitler's intention in invading eastern Europe and the Soviet Union. 'It is not a matter of acquiring population but of gathering space for agricultural use'.¹⁶ However, eliminationism is a fragile basis for empire because it strips the conquered territory of labour, and retains only its raw resources. For the Third Reich the cost was yet greater, for it deprived the Reich of the opportunity to exploit the unfulfilled national aspirations of Ukrainian and Baltic peoples.

The threat of decisive force against rebel communities, up to and including their destruction, is a recurrent theme in the efforts of empires to forestall exit. Empire-building in the age of the national state has been particularly brutal. How much force would have been necessary to quell demands for national autonomy in continental Europe if the Nazi Empire had not been defeated in war? Hitler's interpreter admitted that: 'The Nazis kept talking about a 1,000-year Reich, but they couldn't think ahead for five minutes' (Mazower, 2009, p. 261). The Napoleonic and Nazi empires were ephemeral because they were based on a fundamental contradiction: they were nationalist empires in a continent of national communities. Both sought to induce co-operation by framing universal values, but these values were recognized as a fig leaf for aggrandizement. The nationalism that generated the internal solidarity and military power of the Napoleonic and Nazi empires produced hatred and resistance on the part of the peoples they subjugated. This enormously restricted the ability of these empires to mobilize the resources of their conquered communities. Labour productivity in aircraft factories was four times higher in Germany than in occupied France (Evans, 2008, p. 340; Milward, 1979). The gross product of what became Nazi Europe was actually greater than that of the United States before World War II and vastly greater than that of Britain, but it declined considerably under Nazi rule.

IV. Assimilate

Empire builders dream of assimilating subject communities. Not assimilation in the *Star Trek* vision of the Borg – a cybernetic organism that implants components in an individual of another species making it Borg. Assimilation in the more practical sense of directly or

¹⁶ Hitler in 1937, quoted in Mazower (2009, p. 259).

indirectly inducing members of a community to adopt a dual identity. Assimilation provides an empire with the capacity to extract more resources as it grows in scale. This is the snowball scenario in which the benefits of scale are unshackled from diversity, so that as the empire grows in size, it gains momentum to grow further.

There are two sides to assimilation: the pull of empire; and the brake of community (Deutsch, 1953; Laitin, 1998; Flora *et al.*, 1999). The pull of empire is the extent to which an empire is willing, and able, to improve the life chances of those who choose to assimilate. How open is the empire to a person prepared to pay the cost of membership – speaking the right language, wearing the right clothes, adopting an imperial identity, becoming, so to speak, normatively bilingual? And if the empire is open to assimilation, what is in it for a person who chooses to assimilate? What difference does this make to a person's stream of income, or more broadly, his or her life chances? The brake of community is the extent to which a community resists imperial rule as illegitimate. How closed and close-knit is the community? Do the social, economic, religious and linguistic boundaries that demarcate the community coincide? How profound is the normative tension with the empire? What penalties can the community impose on a collaborator (Laitin, 1998)?¹⁷

The Romanization of the culturally and linguistically diverse tribes and cities of the Italian peninsula 'in a single civic whole' is one of the most successful instances of assimilation in human history (David, 1996, p. 173). Roman assimilation had the advantage of pre-modernity: it did not have to contend with the perception of irreducible racial or ethnic difference. And in the era before monotheism, assimilation did not require religious conversion, but simply the extension of an already diverse pantheon of gods. Roman citizenship was based on values, not genes, and could in theory, and eventually in practice, be attained by any person living in the empire.

Conquered cities and peoples were allowed to keep their own languages, cultures, laws and gods, but local rulers had to access the patronage of Roman senators and magistrates to influence land settlement, increase their wealth and sustain their authority within their own communities. As Rome gained military hegemony from the 3rd century BC, local elites learned Latin, adopted Roman manners, copied Graeco-Roman architecture and 'become integrated, by hook or by crook, into the sphere of Roman political power' (David, 1996, p. 4). However, the process was haphazard, largely unintended, and at one decisive juncture, was fiercely resisted by Rome itself.

The Social War (92–88 BC) was an uprising of Italians demanding the right to Roman citizenship. Depending on the particular treaty by which a tribe or town was tied to Rome, Italians, unlike Romans, were subject to land redistribution and property taxes, and had to pay for the upkeep of their army contingent. Italians were first to be called up to the army in crisis and undertook the most hazardous missions. They could expect harsher punishment for indiscipline. Italian soldiers received an equal share of war booty, but the Senate alone commanded subject cities and distributed their lands. All of this was particularly galling because the cultural distance between Roman citizens and Italians had shrunk to almost nothing. When they went abroad, Italians were perceived as Romans. But in Italy itself, Italians were a class apart and, while they ruled their own towns, they lacked the

¹⁷ Laitin (1998) terms these 'economic returns', 'out-group status' and 'in-group status', and while his explanandum is bilingualism, the logic can apply to assimilation more generally.

means to vote on imperial taxation or war. Most Roman senators opposed assimilation because they were unwilling to share the economic boon of empire and were alarmed by the prospect of a greatly enlarged electorate. However, victory for Rome in the Social War paradoxically meant defeat for opponents of assimilation. In order to win allies, Rome felt compelled to offer full citizenship to Italians who joined them. And within a few years, Rome extended citizenship to its erstwhile foes.

This may seem an age away from the question of assimilation in the European Union. There is no mass mobilization, let alone rebellion, demanding European citizenship. But there are some parallels that distinguish both the Roman and the EU experience from the intervening period of state-making. In both Rome and the EU, assimilation is an outcome of processes that are not designed for the purpose. Whereas assimilation was an explicit, often coercively imposed, goal of national states, it is implicit and non-coercive in Europe's bookend empires. In both Rome and the EU, assimilation is 'assimilation lite' – that is, assimilation by adopting a dual local-imperial identity, not erasing one identity for another. In both Rome and the EU, the rules regarding assimilation are set out in treaties, with the demand that a community must adopt pre-existing imperial law. In Rome this was the *fundi factio*; in the EU, the *acquis communautaire*. In both Rome and the EU, the chief driver of assimilation is its benefit for members of the elite: Italian rulers and landowners in Roman days, mobile professionals and business owners today.

The Napoleonic Empire sought, with some success, to assimilate northern Italians and the communities of the southern Netherlands. Napoleon saw himself as creating a new Roman Empire, and tried to induce non-aristocratic elites to assimilate by breaking down feudal barriers and offering the possibility of advancement in a meritocratic system of equality before the law. He annexed Piedmont, Tuscany, Umbria, Parma, Rome and the Ligurian Republic; introduced French as the official language and the French franc as currency; provided avenues for new Frenchmen to become rich; compelled elite students to attend French military academies; and arranged marriages between French notables and girls from elite Italian families. However, this policy of *amalgame* was countered by the resentment of local populations against those who collaborated in collecting taxes and forcing conscription. Napoleon's imperial model became unviable when subject populations saw it 'as foreign and thus illegitimate' (Parsons, 2010, p. 235).

The consolidation of states in the post-Napoleonic era further limited the possibility of assimilation across national borders. Foreign collaborators of the Third Reich could not aspire to imperial citizenship. Moreover, Hitler's racism ruled out assimilation of non-Germanic communities. Where assimilation was successful, it required pre-existing cultural and linguistic affinities, as in Austria and the Sudetenland prior to their incorporation in the Third Reich.

After World War II, most people in western Europe regarded those living in neighbouring states as foreigners. A European polity was created in the absence of Europeans. Even today, if one wishes to predict how a person views the EU, the most pertinent line of inquiry concerns how that person perceives his or her national community and its relation to other communities. Most Europeans have a strong attachment to their national community and a weaker attachment to Europe. What appears to be decisive is how these attachments fit together. Does an individual conceive of national identity as one among a set of attachments or as an exclusive attachment (Risse, 2010)? Is membership of the

national community conceived as civic, and hence acquired by residing in a country, speaking its language and respecting its laws, or as an inherently ethnic characteristic?

Those individuals who interact with others on a regular basis are most likely to conceive a European community alongside their national community. Individuals who travel within Europe, who speak a second European language, who spend a year studying in Europe, who live in a European country that is not their country of origin, are more likely to take on a European identity alongside their national identity (Fligstein, 2008). Around 10 per cent of Europeans (around 50 million people) say that they feel European only or European first and national second. If interaction across national borders continues to increase one would expect this proportion to grow. But the vast majority remains rooted in national conceptions of identity, and this has brought community into tension with further shifts of authority to Europe.

In the years when European decisions were made by elites, these questions did not count for much. But today things are different. A permissive consensus in which conceptions of community were inert has become a constraining dissensus in which nationalism is mobilized by populist political parties and Eurosceptic groups in referendums and national elections (Hooghe and Marks, 2009).

V. Collapse of Empire

There are more theories of imperial collapse than there are empires. No less than 210 reasons have been given for the fall of the Roman Empire (Demandt, 1984). No theory can tell us precisely when and why empires collapse unless it can account for the exogenous shocks – succession crises, rise of new powers, changes in military technology, alliance politics, resource depletion, financial crises and so forth – that have historically brought this about. A theory of empire that predicts the fall of empire is a theory of almost everything.

A useful theory makes claims about what is likely to be causally important in explaining a phenomenon while pointing out things that otherwise might have been taken for granted or missed altogether. Scale and community, as theorized here, are basic principles of government, but they provide a setting for strategic choice rather than deterministic prediction. Both are in flux as patterns of human interaction change, and government itself shapes those patterns.

The Roman Empire transformed its own communities and those of its neighbours in ways that intensified the tension between imperial scale and local community. The problems that confronted Rome in the 4th century AD did not arise from imperial overreach – territorial expansion had been off the cards since Hadrian's reign (117 AD) – but from internal division and external threat. Each army group located in a border region – Britannia, the Danube, the Rhine – came to see itself as a community of fate with popular leaders and common interests. 'A century of stable frontiers, fixed garrisons and local recruitment [...] had forged strong bonds between soldiers and the districts where they served. Many men were defending families, homes and farms nearby' (Faulkner, 2008, p. 235). Succession crises took on the character of regional wars among legions mobilizing different parts of the empire. Rome did not determine the outcome; it was the prize.

There was worse. The barbarian peoples of the north were scaling up. Tacitus, writing in the 1st century AD, identified more than 50 Germanic tribes which were just as likely

to fight each other as fight Romans. Barbarian alliances could inflict the occasional defeat on Roman legions (as in the Teutenberg forest in 9 AD), but these alliances ‘had no capacity to formulate and put into practice sustained and unifying political agendas’ (Heather, 2009, pp. 54–5). Ominously, by the 4th century the number of tribes described in written records and identified in archaeological sites decreased to a handful. Partly as a result of contact with Rome, barbarian farming intensified, population density rose, iron production increased and, most importantly, the sheer scale of tribal organization grew (Wells, 1999, ch. 11). The northern tribes had become a serious threat.

All of this might not have led to collapse but for a totally unanticipated development: the displacement of Goth tribes into the Roman Empire to escape the Huns. The first to come were the Tervingi in 376 who begged to be allowed to cross the Danube and settle in Thrace. To gain time to assemble his forces, Emperor Valens agreed. Two years later, the Tervingi and Goth allies defeated the main Roman army at Hadrianople, killing the Emperor and 35 tribunes. The peace of 382 established the mechanism by which Rome would break into pieces: a Gothic state within the empire, an independent community with its own leaders, its own laws and its own army.

The Frankish empire of the Carolingians was torn to pieces by a series of succession wars and by Vikings, Saracens and Magyars, who began by plundering and ended up carving out territories for settlement. However, by the time that the empire was eaten piecemeal by marauders, security was already organized on a local basis. If there is a systematic element to the collapse of the Frankish Empire, it lies in the independence of the local bosses who supplied its fighting power. The Frankish Empire relied on booty to reward supporters, but the supply dried up by the end of Charlemagne’s reign, and there was no alternative but to provide gifts of non-renewable assets – above all, land from the royal fisc.

‘Candy is dandy, but liquor is quicker.’¹⁸ Napoleon’s spike empire was launched in his Italian campaign of 1800, reached its maximal extent in 1812, and lasted for just three more years. Hitler’s empire compressed even this rapid history: beginning in the autumn of 1939, peaking in 1943, and by the summer of 1945 in ruins. Neither empire effectively exploited its scale, but the proximate cause of collapse was military defeat. Yet even if these empires had not generated overwhelming counter-alliances, it is difficult to believe that they could have long endured.

The EU has no mortal enemy, and unlike former empires, it does not face a fiery end. Yet it is facing an economic shock that exacerbates the tension between scale and community. Monetary union reveals that the benefits of scale may involve redistribution across communities, and that while there is a willingness within each national community to help those in need, this does not extend beyond national borders. Parochial altruism constrains scale. Monetary union reduces economic transaction costs, but makes it impossible for a country experiencing recession to devalue its currency. Yet there is no routinized fiscal mechanism in the EU to subsidize a country that is suffering recession. The fundamental problem of the sovereign debt crisis is not economic, but political. The combined debt of Greece, Portugal and Ireland is currently €680 billion – just 7 per cent of eurozone output. A European bond would assure markets that the debt would be repaid, and therefore lower interest costs, but the major European governments are unwilling. They oppose creating a public good that is

¹⁸ To quote Ogden Nash.

vulnerable to defection. Governments of the weaker economies might not resist the temptation to draw on the European weal rather than engage in politically costly reform. A European fiscal government could limit this moral hazard, but it is considered politically infeasible because it would diminish national self-rule.

The EU was established on the ruins of Nazi Europe. The European states system and its vaunted balance of power had proved an unimaginable disaster. Not one of the six founding states had avoided occupation by a foreign power. Institutions that were considered utopian before the war now seemed worth trying. The logic of reform was to gain the benefits of scale among densely interacting peoples: could states create a European-wide territory of prosperity and peace? As one problem was addressed, as one externality was internalized, so others came to the fore. European integration has been rolling integration. It has been driven by its underlying purpose – not by a conception of the final outcome.

The assumption was that community would follow. Trust among Europeans has grown (Klingemann *et al.*, 2010), and individuals who interact across borders and who have the most to gain from doing so have assimilated a European identity alongside their national identity. However, powerful populist currents run in precisely the opposite direction, framing national identity in opposition to European integration, and appealing to those who perceive little benefit in Europe or who fear loss of national self-rule (Kriesi *et al.*, 2008). Solidarity that would enable the Union to redistribute in order to sustain scale is conspicuously lacking (Schmitter, 1996).

The hard edges of European states have been softened in a system of multi-level governance, but the current crisis reveals how difficult it is to bring normatively diverse communities under a single jurisdictional roof. How can a large polity endure if it combines states with populations having parochial identities? Will it break apart, or be eroded by resurgent nationalism? For the bulk of Europe's history, empire has been associated with coercive subjugation of unwilling peoples, but the experience of the EU suggests that government reflects not only circumstances, but human ingenuity in adapting to them. The art of scale under community is an evolving one. Nationalism is being mobilized, but it would be foolish to presume that benefits of scale will be any less compelling in the future than they are at this moment.

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